IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 30TH OCTOBER 2007 / 8TH KARTHIKA 1929

WP(C).No. 32095 of 2007(U)

PETITIONER:

LALITH KUMAR, S/O. MAHINDRA SINGH,
RADHA NAGAR, BULAMSEHAR, UTHAR PRADESH.

BY ADV. SRI.C.K.SREEJITH

RESPONDENTS:
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1. THE COMMERCIAL TAX INSPECTOR,
COMMERCIAL TAX CHECK POST (OUT UNIT), WALAYAR.

2. THE COMMERCIAL TAX OFFICER,
COMMERCIAL TAX CHECK POST (OUT UNIT), WALAYAR.

3. THE INSPECTING ASSISTANT COMMISSIONER,
COMMERCIAL TAX CHECK POST, WALAYAR.

4. THE COMMISSIONER OF COMMERCIAL TAXES,
REPRESENTING GOVT. OF KERALA, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI.K.P.PRADEEP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
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W.P.(C) NO. 32095 OF 2007 U
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Dated this the 30th day of October, 2007

J U D G M E N T

The consignment carrying motor vehicles were detained at the check post as per Ext.P6. From the irregularity noticed, it is certain that the goods under transport were consigned from Haryana to Coimbatore and that, without any documentary support, goods entered Kerala and were detained at the check post. Though the petitioner has a case otherwise, prima facie I am not inclined to think that there is nothing irregular in the detention.

2. Therefore, if the petitioner furnishes a Bank guarantee for the sum mentioned in Ext.P6, the goods detained along with truck will be released, subject to further adjudication. Needless to say that the adjudication shall be completed expeditiously.

Writ petition is disposed of.

ANTONY DOMINIC, JUDGE.

Rp